

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

SAUL E. GREENHUT
Junior Party
(Pat. No. 5,964,788)¹

v.

ALEXIS C.M. RENIRIE and VINCENT J.A.SCHOUTEN
Senior Party
(App. No. 09/494,531)²

Patent Interference No. 105,888
(Technology Center 3700)

Before: JAMESON LEE, RICHARD TORCZON, and SALLY GARDNER
LANE, *Administrative Patent Judges*.

LEE, *Administrative Patent Judge*.

Judgment – Request for Adverse – Bd. R. 127(b)

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¹ Based on Application 08/959,391, filed October 28, 1997. The real party in interest is Pacesetter, Inc.

² Filed January 31, 2000. Accorded the benefit of Patent 6,141,590, based on Application 08/937,443, filed September 25, 1997. The real party in interest is Medtronic, Inc.

Interference No. 105,888
Greenhut v. Renirie

1 On May 18, 2012, senior party Renirie filed a paper indicating that it seeks
2 to abandon its involved application and attaching a copy of an executed Express
3 Abandonment form PTO/SB/24(07-09) for its involved Application 09/494,531.
4 Per 37 C.F.R. § 41.127(b)(1), abandonment of an involved application is construed
5 as a request for entry of adverse judgment in the interference.

6 The request is *granted*.

7 It is

8 **ORDERED** that judgment on priority as to Count 1 is entered against senior
9 party ALEXIS C.M. RENIRIE and VINCENT J.A. SCHOUTEN;

10 **FURTHER ORDERED** that claims 1, 2, 5, 9, 15, 18, 26, 29, 31 and 32 of
11 senior party's Application 09/494,531 are finally refused;

12 **FURTHER ORDERED** that the parties shall note the requirements of
13 35 U.S.C. §135(c) and Bd.R. 205;

14 **FURTHER ORDERED** that a copy of this judgment shall be entered into
15 the file of Patent 5,964,788, and Application 09/494,531; and

16 **FURTHER ORDERED** that after entry of this paper senior party's Notice
17 of Express Abandonment will be made available for processing by the Examiner.

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Interference No. 105,888
Greenhut v. Renirie

By Overnight Mail:

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